

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEREK MILLER,

Defendant.

**4:19CR3125**

**ORDER**

The parties have moved to continue the trial, (Filing No. 55), because the parties need additional time to prepare for trial and Defendant is considering whether to enter a plea of guilty. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to continue, (Filing No. 55), is granted. The trial of this case is continued pending further order of the court.
- 2) A status conference to discuss the trial setting will be held before the undersigned magistrate judge at 10:30 a.m. on April 13, 2021 by telephone. All participants shall use the conferencing information provided by the court, (see Filing No. 24), to participate in the call. Defendant, defense counsel, and counsel for the government shall be present at the conference. Defense counsel shall forward a copy of the conferencing instructions to the defendant.
- 3) The court finds that the time between today's date and April 13, 2021 is excluded under the Speedy Trial Act because although counsel have been diligent, additional time is needed to adequately review this case and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

April 9, 2021.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge